



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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EEOC Charge No. 440-2006-08866

08 C 465

James E. Musial
1647 Orth
Wheaton, Illinois 60646

Charging Party

V.

Citizens Bank and Trust Company of Chicago
5700 North Central Avenue
Chicago, Illinois 60646

JUDGE CASTILLO
Respondent
MAGISTRATE JUDGE SCHENKIER

DETERMINATION

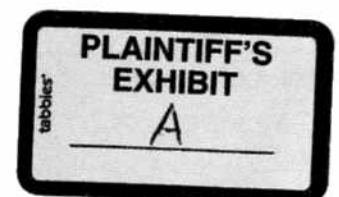
Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of the subject charge filed under the Americans with Disabilities Act of 1990 (ADA).

The Respondent is an employer within the meaning of the ADA and all requirements for coverage have been met.

The Charging Party alleged that he was discriminated against based on his disability, in that he was denied a reasonable accommodation, in violation of the ADA.

I have determined that the evidence obtained in the investigation establishes reasonable cause to believe Respondent has a leave policy that denies reasonable accommodations for a class of disabled employees, in violation of the ADA.

This determination is final. When the Commission finds that violations have occurred, it attempts to eliminate unlawful practices by informal methods of conciliation. Therefore, I invite the parties to join with the Commission in reaching a just resolution of this matter. Disclosure of information obtained by the Commission during the conciliation process will be made only in accordance with the Commission's Procedural Regulations (29 CFR Part 1601.26).



If the Respondent wishes to accept this invitation to participate in conciliation efforts, it may do so at this time by proposing terms for a conciliation agreement; that proposal should be provided to the Commission representative within 14 days of the date of this determination. The remedies for violations of the statutes we enforce are designed to make the identified victims whole and to provide corrective and preventive relief. These remedies may include an agreement by the Respondent to cease engaging in unlawful employment practices, placement of identified victims in the positions they would have held but for the discriminatory actions, back pay, restoration of lost benefits, injunctive relief, compensatory and/or punitive damages, and notice to employees of the violation and the resolution of the claim.

Should the Respondent have further questions regarding the conciliation process or the conciliation terms it would like to propose, we encourage it to contact the assigned Commission representative. Should there be no response from the Respondent in 14 days, we may conclude that further conciliation efforts would be futile or nonproductive.

On behalf of the Commission,

2-9-07
Date

John P. Rowe
John P. Rowe
District Director